

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA,)	Civil Case Number: 09-071
)	
Plaintiff,)	COMPLAINT FOR CIVIL MONETARY
)	PENALTIES; AND DEMAND FOR
v.)	JURY TRIAL
)	
UNION PACIFIC RAILROAD CO.,)	
)	
Defendant.)	
)	

***ORDER GRANTING PLAINTIFF'S SECOND MOTION
FOR EXTENSION OF TIME TO FILE ITS RESPONSE TO MOTION
TO DISMISS AND ORDER GRANTING MOTION TO CONTINUE
SEPTEMBER 15, 2010, INITIAL PRETRIAL CONFERENCE***

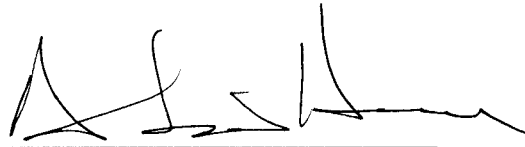
Today, this Court considered "PLAINTIFF'S SECOND MOTION FOR EXTENSION OF TIME TO FILE ITS RESPONSE TO MOTION TO DISMISS AND MOTION TO CONTINUE SEPTEMBER 15, 2010, INITIAL PRETRIAL CONFERENCE."

In this motion, which Defendant, Union Pacific Railroad Company ("Union Pacific"), does not oppose, the United States advises that as a result of the recent assignment of new counsel, the United States requires additional time to prepare and file its response to Defendant's motion to dismiss; in addition, the United States moves for a continuance of the September 15, 2010, hearing scheduled in this matter in order to allow both parties ample time to prepare any reply and/or oral argument that may be had in this matter. Having considered the motion and the pleadings on file, and noting that the motion is not opposed, this Court finds good cause exists for granting the United States' request for additional time to file its response to the Defendant's Motion to Dismiss (Document No. 17) and that good cause exists for granting the United States' motion to continue the September 15, 2010, hearing in this matter.

THEREFORE, IT IS ORDERED, that the United States be allowed until September 3, 2010, to file its response to the Defendant's Motion to Dismiss (Document No. 17);

IT IS FURTHER ORDERED that the September 15, 2010, Initial Pretrial Conference be continued and is hereby re-set to October 6, 2010, at 9:30 am/~~pm~~ before this Court located on the third floor of the United States Courthouse at 600 East Harrison Street, Brownsville, Texas.

Signed: August 2, 2010



ANDREW S. HANEN
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF TEXAS
Brownsville Division